

نُبسم الله الرحمن الرحيم

Common Rulings related to Zakah

A Muslim should pay Zakāh as **2.5%** of his *total wealth* that he owns on the *Zakāh-date*. If he owns ₹1 lakh, he should pay ₹2500.

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Also refer the Chapter of [Zakah](#) in [Simple Fiqh](#).

Total Wealth

To find the *total wealth*, the following should be summed up:

1. The market price of every gold and silver item that he owns,
2. All the money that he owns: in hand, in bank, and money given to somebody as loan.
3. The market price of his entire stock of merchandise for sale.
4. For a factory-owner, the price of all completed products, that of the products in various stages of completion, and the price of the raw materials should be added up. The prices of machinery, land, etc. should be ignored. (Äp Zakāt kis tarah adä kareñ by Mufti Taqi Usmāni:34)

The above market prices should be calculated as on the day of paying Zakāh (JFM 1/149), or as on the day of calculating Zakāh (Äp Zakāt kis tarah adä kareñ: 29).

It is preferable to base the calculation on the *wholesale* market rate. (Äp Zakāt kis tarah adä kareñ by Mufti Taqi Usmāni: 29)

The following should then be deducted:

1. Loan that he has taken from somebody and which he has to return all-at-once.
2. For long-term loan in which he only needs to pay a specified sum each year, he should deduct only that year's loan installment.

This is his *total wealth*.

Zakāh-date

- When a person becomes the owner of Nisāb (Zakāh-worthy wealth), he should wait for a lunar year. If he still holds more than the Nisāb, this is the end of his first Zakāh-year. And this is his annual *Zakāh-date* when Zakāh becomes obligatory (Farz) for him.
- If a person finds difficulty in estimating his exact Zakāh-date, he may fix any day of the Hijrī year ((e.g. a day in Ramazān) as his Zakāh-day. And every year, he should pay Zakāh based on his wealth on this day. (Āp Zakāt kis tarah adā kareñ: 44)
- Once fixed, the Zakāh-day must be adhered to. It cannot be changed later on arbitrarily.

Nisāb

- It is the market price of 87.48 gram of silver. It amounts to ₹ 27,180 for Hyderabad on 12 Jun 2016. (Sources: Jadeed Fiqhi Masāil by Maulānā Khālid Saifullāh Rahmānī 1/137; indiagoldrate.com).
- A person owning this amount is considered rich by the Sharī'ah. He should pay Sadaqatul Fitr, make Īdul Azhā sacrifice and cannot accept Zakāh-amount.
- For Zakāh to be obligatory upon him, there is an additional condition that even after passage of a year, he should remain owner of Nisāb.

Zakāh-recipients

- poor people who own less than the Nisāb amount
- Zakāh-collector appointed by Khalifah or his representative
- a person in debt who does not have enough money to pay it off: If he has taken the debt for something sinful like television, lavish marriage, impermissible rituals of death, etc. he should not be helped with Zakāh-money. (Ma'āriful Qurān English 4/413)

- a mujāhid who does not have the means to buy weapons and war supplies
- a person on whom Haj is Farz (because he owned enough money on some past occasion) but he does not have enough money now to carry out that Farz
- a traveler who does not have enough money with him during journey to reach his destination comfortably, though he owns Nisāb amount at his home

Miscellaneous Rulings

- Zakāh-payment is valid only if the ultimate recipient is made complete owner of the money.
- It is essential that the Zakāh-payer makes the intention of Zakāh when paying it to the ultimate recipient (e.g. a poor person) or to an agent (e.g. a madrasah representative).
- It is not necessary to tell the poor person that this is Zakāh-money.
- If a poor person is given Zakāh-money in return for some service rendered by him, Zakāh remains unpaid. (Ma'āriful Qurān English 4/403)
- When paying to a madrasah-representative, he must be informed that it is Zakāh-money.
- Zakāh cannot be paid to the tax-collector for the government of our Kāfir countries.
- Zakāh cannot be paid for construction of masjids, bridges, madrasah buildings etc.
- Zakāh cannot be paid to a Kāfir: people who do not call themselves Muslims, people who call themselves Ahmadis/Qādiyānis, Shias, Westernists (communists, seculars, liberals, etc.) who believe that Islām should be confined only to masjids and homes, people who believe that Islāmic laws are no more applicable because times have changed, people who show contempt towards 'Ulamā claiming that they want to take the Ummah 15 centuries behind.
All of the above are Kāfirs. No amount of Salāh and Haj will take them to Jannah unless they revert to Islām – as understood and practiced by the reliable 'Ulamā – before death.
- Zakāh should also not be paid to a rich person (Nisāb-owner), to one's parents and grandparents, to his offspring and offspring's offspring, and to his spouse.

- There is no Zakāh on diamond and gems. (Jadīd Fiqhī Masāil 1/141)

Shares

- For people who have purchased shares with the intention of retaining it and benefitting only from the profit/dividend paid by the company on that share, they shall consider the actual company-acknowledged price (**face value**) of the share for *total wealth* calculation.
- For people who have purchased shares with the intention of selling it back when its market price rises, they should consider the **market value** of the share for *total wealth* calculation. (Jadīd Fiqhī Masāil 1/144)
- The market value of shares is usually higher than the face value for profit-making companies.

Real Estate

- If a person purchases a land and at the time of purchase he had the intention that he would sell it later when its price rises, then the price of this land should be included in his *total wealth* for Zakāh-payment.
- If he had no clear intention while purchasing (I will think later what to do with this land: build a house for myself, put it on rent, or sell it), then this land will **not** be included in his *total wealth*.
- The land will also not be included in his *total wealth* when at the time of purchase itself, his intention was to rent it or keep it for personal use. (Äp Zakāt kis tarah adä kareñ: 30)
- For the first case, the market price on the day of Zakāh-calculation should be considered. (Äp Zakāt kis tarah adä kareñ: 29)

Zakāh to TV-owner

(Source: Äp Zakāt kis tarah adä kareñ: 63)

Question: A person apparently has all the commodities of comfortable life in his house like television, VCR, etc. Yet he is needy on account of expenses for medical treatment, children's education, marriage, etc. Can we pay Zakāh to him?

Answer

If he is really needy, he should first sell off his TV, VCR, etc. If he still remains needy (owning less than Nisāb-money), Zakāh may be paid to him. Before he sells off these unnecessary objects of sin, paying Zakāh to him will not be permissible.

Zakāh on Debt that you have given to a needy

- When there is little or no hope of getting back the money (the debtor is denying having taken the loan, the debtor has gone bankrupt, or the debtor has gone missing), if the creditor gets back the money later on, there is no need to pay Zakāh of previous years on this amount.
- As long as he does not get back the money, obviously, he should not include it in his *total wealth* for Zakāh.
- If a debtor acknowledges the debt, but keeps delaying payment for an entire year (the period between creditor's Zakāh-dates) even though the creditor has asked for his money, then the creditor need **not** include this loan in his *total wealth* for Zakāh of that year.

(Jadīd Fiqhī Masāil: 2/35)

Zakāh on loan that you have taken

- If you are supposed to pay the loan all at once, you should deduct the entire loan amount from your *total wealth* for Zakāh.
- If it is a long-term loan where you are paying back in instalments, you should deduct only that year's instalment from your *total wealth*.
- If Haj, Sadaqatul Fitr, Īdul Azhā sacrifice, Vow-money, Expiation for breaking fasting, etc. are due upon a person, those amounts shall **not** be deducted from his *total wealth*. This is the ruling for all loans and dues that one owes to Allāh. (Jadīd Fiqhī Masāil 2/40)
- The unpaid Mahr amount shall also **not** be deducted from husband's *total wealth*. (Jadīd Fiqhī Masāil 1/150)